

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 114 be amended to read as follows:

- 1       Page 17, delete lines 7 through 28, begin a new paragraph and
- 2       insert:
- 3       "SECTION 10. IC 36-4-3-3.1 IS AMENDED TO READ AS
- 4       FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3.1. **(a) This section**
- 5       **applies only to an annexation described in section 1.7(a)(2) of this**
- 6       **chapter or under section 5 or 5.1 of this chapter.**
- 7       ~~(a)~~ **(b)** This section does not apply to an annexation under section
- 8       4(a)(2), 4(a)(3), 4(b), 4(h), or 4.1 of this chapter.
- 9       ~~(b)~~ **(c)** A municipality shall develop and adopt a written fiscal plan
- 10       and establish a definite policy by resolution of the legislative body that
- 11       meets the requirements set forth in section 13 of this chapter.
- 12       **(d) This subsection applies only to an annexation described**
- 13       **under section 1.7(a)(2) of this chapter. The department must**
- 14       **approve the fiscal plan under section 6.5 of this chapter before the**
- 15       **municipality may adopt an annexation ordinance. A municipality**
- 16       **may not amend the fiscal plan after the department approves the**
- 17       **fiscal plan under section 6.5 of this chapter.**
- 18       ~~(c)~~ Except as provided in subsection ~~(d)~~; the municipality shall
- 19       establish and adopt the written fiscal plan; before mailing the
- 20       notification to landowners in the territory proposed to be annexed
- 21       under section ~~2.2~~ of this chapter.
- 22       ~~(d)~~ **(e)** In an annexation under section 5 or 5.1 of this chapter, the
- 23       municipality shall establish and adopt the written fiscal plan before
- 24       adopting the annexation ordinance."
- 25       Page 18, delete lines 18 through 42.
- 26       Page 19, delete lines 1 through 20.
- 27       Page 19, line 23, after "(a)" insert "**This section applies only to an**
- 28       **annexation described in section 1.7(a)(2) of this chapter.**".
- 29       Page 25, line 38, delete "The" and insert "**If the annexation is**
- 30       **described in section 1.7(a)(2) of this chapter, the**".
- 31       Page 30, line 4, after "through" insert "**13 and SECTIONS 15, 16,**

1     **18, and 19 of this act apply to annexation ordinances adopted after**  
2     **June 30, 2008."**

3     Page 30, delete lines 5 through 6.  
      (Reference is to SB 114 as printed January 18, 2008.)

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Senator BRODEN